

E. KENT WINWARD #5562
ABRAHAM SMOOT #12666
Attorney for Debtor(s)
4850 Harrison Blvd, Ste 1
Ogden, Utah 84403
Telephone: (801) 392-8200
Facsimile: (801) 392-2724
utahbankruptcyfirm@gmail.com

IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH

In the Matter of:

Case No. 21-23234

Bobby Castillo, Marla Castillo

Chapter 13

Judge Kevin R. Anderson

Debtor(s)

MOTION TO MODIFY ORDERS AND FOR ATTORNEY FEES

Debtor(s) (hereinafter “Debtor”), through counsel and pursuant to Sections 105, hereby moves the Court for an Order modifying the orders requiring Debtor to be current on plan payments and turn over tax returns by December 14, 2022. In support thereof, Debtor represents as follows:

1. Debtor filed a Chapter 13 petition on July 23, 2021.
2. Debtor entered into an agreed orders to have their plan payments current by December 14, 2022, and to have their 2021 tax returns turned over by that same time (Dockets 46 and 47).
3. Debtor’s medical insurance tax documents were being mailed to them when they entered into that agreement. Those documents were mailed to the wrong address and are being reissued to the Debtor at the correct address. Without those documents they couldn’t get those taxes completed. They anticipate receiving those documents within the next week.
4. Debtor also anticipated being able to catch up payments but their daughter contracted COVID-19 during that time and Debtor was forced to miss work to care for their child. That loss

in wages made it impossible for Debtor to bring the plan current in the time originally agreed upon.

5. Debtor requests that the orders be modified to allow Debtor until January 15, 2023, to get plan payments current and turn over 2021 tax returns.

6. Debtor requests an award of attorney fees not to exceed \$300.00 as an administrative expense under 11 U.S.C. § 503(b) and that they are to be paid by the Chapter 13 trustee from property of the estate to the extent funds are available.

WHEREFORE, Debtor requests that the orders (Docket Entry 46 and 47) be modified as set forth above and for an award of attorney fees.

DATED: December 14, 2022

_____/s/_____
E. Kent Winward
Abraham Smoot
Attorneys for Debtor